REMARKS

Claims 1-59 are pending in the present application. In the above amendments, claims 4, 5, 7-10, 12, 19, 20, 22-25, 27, 34, 35, 37-40, 42, 49, 50, 54 and 56 have been amended, and claims 6, 21 and 36 have been cancelled. Therefore, after entry of the above amendments, claims 1-5, 7-20, 22-35 and 37-59 will be pending in this application. Applicants believe that the present application is now in condition for allowance, which prompt and favorable action is respectfully requested.

Claims 6, 21 and 36 *(Alleged Duplicate Claims)*

The Office Action has identified claims 6, 21 and 36, as allegedly being duplicates of corresponding respective claims 5, 20 and 35. Applicants request that such claims be canceled without prejudice.

Claims 4, 5, 11-13, 19, 20, 26-28, 34, 35, 41-43, 49, 50 and 55-57 *(112 Rejection)*

The Office Action has rejected claims 4, 5, 11-13, 19, 20, 26-28, 34, 35, 41-43, 49, 50 and 55-57 under 35 U.S.C. 112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 4, 5, 19, 20, 34, 35, 49 and 50

Applicants submit that with the amendments to claims 4, 5, 19, 20, 34, 35, 49 and 50, such claims now depend from different claims that fully support the use of the terms "said device display area." As such, Applicants respectfully submit that there is sufficient antecedent basis for such terms in such claims. Further, Applicants thank the Examiner for correctly identifying the typographical errors in such claims and generously examining such claims with the intended

9

dependencies. The above amendments to such claims correct the typographical errors in such claims.

Claims 11, 13, 26, 28, 41, 43, 55 and 57

Applicants submit that with the amendments to claims 10, 25, 40 and 54, claims 11, 13, 26, 28, 41, 43, 55 and 57 now depend from claims that fully support the use of the terms "said user input area." As such, Applicants respectfully submit that there is sufficient antecedent basis for such terms in such claims. Further, Applicants thank the Examiner for correctly identifying the typographical errors in claims 10, 25, 40 and 54 and generously examining claims 11, 13, 26, 28, 41, 43, 55 and 57 as though claims 10, 25, 40 and 54 made reference to "a user input area" rather than "a user interface area." The above amendments to claims 10, 25, 40 and 54 correct the typographical errors in such claims and provide antecedent basis for language in claims 11, 13, 26, 28, 41, 43, 55 and 57.

Claims 12, 27, 42 and 56

Applicants submit that with the amendments to claims 12, 27, 42 and 56, such claims now include the terms "said user input area" instead of the terms "said user display area." As such, Applicants respectfully submit that there is sufficient antecedent basis for such terms in such claims. Further, Applicants thank the Examiner for correctly identifying the typographical errors in claims 12, 27, 42 and 56, and generously examining claims such claims as though they made reference to "said user input area" rather than "said user display area." The above amendments to claims 12, 27, 42 and 56, correct the typographical errors in such claims and provide antecedent basis for the terms "said user input area."

Claims 1, 16, 31 and 46 *(102(e) rejections)*

The Office Action has rejected claims 1, 16, 31 and 46 under 35 U.S.C. 102(a) as allegedly being anticipated by Suzuki. Applicants note that a claim is anticipated only if each and every element as set forth in the claim is found, either expressly, or inherently described, in a single reference. Furthermore, the identical invention must be shown in as complete detail as contained in the claim.

Applicants submit that Suzuki fails to disclose each and every element of Applicants' claimed subject matter and respectfully request the Examiner to withdraw the rejections. In addition, Applicants submit that Offer does not, disclose, teach or suggest, either implicitly or explicitly, whether considered alone or in combination with the other cited art or that known to one of ordinary skill in the art, Applicants' claimed subject matter.

Suzuki

Applicants submit that Suzuki discloses what it describes as a PDA workspace interface using application icons for downloading remote user file, (title). More specifically, Suzuki discloses a system in which the system operates, "to provide a data processing apparatus capable of downloading a ... file from the host device ... and immediately carry out the process of the downloaded file," (col. 2, lines 58-62). In addition, Suzuki, in FIG. 1, shows a PDA (1) connected via network N to a Host PC (20), (Fig. 1). Suzuki also discloses that "FIG. 2 is a block diagram showing the structure of the essential part within the PDA 1. The PDA 1 consists of a CPU 2, an input device 3, a RAM 4, a display device 5, a small capacity memory device 6, a storage medium 7 and a communication device 8, and all of these members except for the storage medium 7 are connected to a bus 9," (col. 4. ln. 66 – col. 5, ln. 4).

11

Further Suzuki discloses that "the application program file corresponding to the application icon is downloaded [from the Host PC], and stored in the small capacity memory device 6 [of the PDA]," (col. 5, lns. 14-16), "[t]hen, an application program file ... is downloaded from the host PC 20 by the communication device 8 and stored in the small capacity memory device 6, and thus designated application program file is started to be executed," (col. 5, lns. 26-32). Applicants also note that Suzuki discloses that "after ... the application program file downloaded are stored in the ... memory device 6, the communication network N connected to the host PC 20 by the communication device 8 is cut off. Then the downloaded application is started (step S32), and the downloaded data file is opened (step S33) so as to immediately start the a application process," (col. 9, lns. 8-14).

Applicants submit that, at least, because Suzuki discloses a system where a PDA, the PDA containing a CPU, a memory device 6, a display device and a communications device 8, operates to execute a downloaded application using the CUP where such execution does not include the downloaded application being executed by the communications device 8, and as such, Suzuki is otherwise absent any disclosure disclosing, teaching or suggesting the execution of an application on the communications device, that Suzuki does not disclose, teach or suggest Applicants claimed subject matter.

Independent Claim 1

Applicants submit that Suzuki, does not disclose, teach or suggest Applicants' claimed subject matter including, inter alia,

> "... downloading an application from the host device to the communication device; providing a user interface for said application on said host device; and <u>executing said application on said communication device</u>... ,"

(claim 1).

Execution Of Application On PDA device DOES NOT DISCLOSE Execution Of Application on a Communication Device

Applicants submit that Suzuki is directed to the networking of a PDA to a Host PC, (as shown in Fig. 1,) and where such PDA executes applications as stored in its memory device 6 using CPU 2, (as shown in Fig. 2) and where such execution is separate from the operations of the communications device 8 that is otherwise limited to the downloading of the applications. More specifically, Applicants direct the Examiner's attention to FIG. 1, that shows the different components of the system including a PDA (1) connected via network N to a Host PC (20), (Fig. 1). Further, note Suzuki's statement that "FIG. 2 is a block diagram showing the structure of the essential part within the PDA 1. The PDA 1 consists of a CPU 2, an input device 3, a RAM 4, a display device 5, a small capacity memory device 6, a storage medium 7 and a communication device 8, and all of these members except for the storage medium 7 are connected to a bus 9," (col. 4. ln. 66 – col. 5, ln. 4).

Next, Applicants note the separation between downloading (by the communications device 8) of an application file and the subsequent execution of such application where Suzuki states "the application program file corresponding to the application icon is downloaded [from the Host PC], and stored in the small capacity memory device 6 [of the PDA]," (col. 5, lns. 14-16), "[t]hen, an application program file ... is downloaded from the host PC 20 by the communication device 8 and stored in the small capacity memory device 6, and thus designated application program file is [then] started to be executed," (col. 5, lns. 26-32). Applicants also note that Suzuki states: "after ... the application program file downloaded are stored in the ... memory device 6, the communication network N connected to the host PC 20 by the communication device 8 is cut off. Then the downloaded application is started (step S32), and

the downloaded data file is opened (step S33) so as to immediately start the a application process," (col. 9, lns. 8-14).

Further, the Applicants further emphasize that Suzuki proposes the that the communication device 8 is limited to communications type functionality such as downloading where, for example, Suzuki states: "The communication device 8 ... is used to execute the communication process for downloading ... application program files... in the above ordinary process or PDA process, " (col. 6, lns. 5-11). Applicants note the statement in Suzuki, with respect to Fig. 3, that states that "[t]he communication device 28 ... is used to execute the communication process for downloading ... application program files ... in the above ordinary process or host PC process," (col. 7, lns. 16-22).

In summary, Applicants submit that although Suzuki discloses the use of a communications device 8, Suzuki limits such use to the "downloading" of "application program files" and appears to be absent any discussion of the use of such communication device to execute such application program files, and that such communications device is a component of a PDA rather than the PDA itself. In fact, Applicants submit that Suzuki teaches away from the communications device 8 performing the execution of any downloaded application where Suzuki specifically limits the functionality of the communications device 8 to the downloading of an application file, while indicating that the CPU 2, the memory device 6 and the display device 5, are the PDA components used in the execution of any particular downloaded application.

Independent Claim 16

Applicants submit that Suzuki, does not disclose, teach or suggest Applicants' claimed subject matter including, inter alia,

> "... means for downloading an application from the host device to the communication device;means for providing a user interface for said application on said host device; and means for executing said application on said communication device ... ,"

(claim 16).

Applicants direct the Examiner's attention to the arguments presented above regarding the allowability of independent claim 1, and submit, that for at least the reasons mentioned therein, this claim is also allowable. Applicants also submit that in addition to such reasons, such claim is also allowable in light of the presence of novel and non-obvious elements contained therein that are not otherwise present in claim 1.

Independent Claim 31

Applicants submit that Suzuki, does not disclose, teach or suggest Applicants' claimed subject matter including, inter alia,

> "... downloading an application from the host device to the communication device; providing a user interface for said application on said host device; and executing said application on said communication device ... ,"

(claim 31).

Applicants direct the Examiner's attention to the arguments presented above regarding the allowability of independent claim 1, and submit, that for at least the reasons mentioned therein, this claim is also allowable. Applicants also submit that in addition to such reasons,

such claim is also allowable in light of the presence of novel and non-obvious elements contained therein that are not otherwise present in claim 1.

Independent Claim 46

Applicants submit that Suzuki, does not disclose, teach or suggest Applicants' claimed subject matter including, inter alia,

> "... a host device configured to exchange user input and display information to a display; said host device being coupled to a communication device through a transport link; and wherein said host device is configured to download an application from the host device to the communication device; provide a user interface for said application on said host device; and execute said application on said communication device... ,"

(claim 46).

Applicants direct the Examiner's attention to the arguments presented above regarding the allowability of independent claim 1, and submit, that for at least the reasons mentioned therein, this claim is also allowable. Applicants also submit that in addition to such reasons, such claim is also allowable in light of the presence of novel and non-obvious elements contained therein that are not otherwise present in claim 1.

Claims 2,-10, 12-15, 17-25, 27-30, 32-40, 42-45, 47-54 and 56-59 *(103(a) rejections)*

The Office Action has rejected claims 2,-10, 12-15, 17-25, 27-30, 32-40, 42-45, 47-54 and 56-59 under 35 U.S.C. 103(a) as allegedly being unpatentable over Abkowitz.

Dependent Claims 2-10 and 12-15

Applicants submit that for at least the reason that claims 12-10 and 12-15 (dependent claim) depend (either directly or indirectly) from claim 1 (parent claim), and as dependent claims therefrom, the dependent claims are allowable for at least the reasons for which the parent claim

16

is allowable. Applicants further submit that the dependent claims are also allowable in light of the presence of novel and non-obvious elements contained therein that are not otherwise present in the parent claim.

Dependent Claims 17-25 and 27-30

Applicants submit that for at least the reason that claims 17-25 and 27-30 (dependent claim) depend (either directly or indirectly) from claim 16 (parent claim), and as dependent claims therefrom, the dependent claims are allowable for at least the reasons for which the parent claim is allowable. Applicants further submit that the dependent claims are also allowable in light of the presence of novel and non-obvious elements contained therein that are not otherwise present in the parent claim.

Dependent Claims 32-40 and 42-45

Applicants submit that for at least the reason that claims 32-40 and 42-45 (dependent claim) depend (either directly or indirectly) from claim 31 (parent claim), and as dependent claims therefrom, the dependent claims are allowable for at least the reasons for which the parent claim is allowable. Applicants further submit that the dependent claims are also allowable in light of the presence of novel and non-obvious elements contained therein that are not otherwise present in the parent claim.

Dependent Claims 47-54 and 56-59

Applicants submit that for at least the reason that claims 47-54 and 56-59 (dependent claim) depend (either directly or indirectly) from claim 46 (parent claim), and as dependent claims therefrom, the dependent claims are allowable for at least the reasons for which the parent claim is allowable. Applicants further submit that the dependent claims are also allowable in light of the presence of novel and non-obvious elements contained therein that are not otherwise present in the parent claim.

17

CONCLUSION

In light of the amendments contained herein, Applicants submit that the application is in condition for allowance, for which early action is requested.

Please charge any fees or overpayments that may be due with this response to Deposit Account No. 17-0026.

Respectfully submitted,

Dated: December 30, 2004   By: _____

Brent A. Boyd
Reg. No. 51,020
(858) 651-4361

QUALCOMM Incorporated
Attn: Patent Department
5775 Morehouse Drive
San Diego, California 92121-1714
Telephone: (858) 658-5787
Facsimile: (858) 658-2502

18